



## FREDERICK COUNTY PLANNING COMMISSION

July 14, 2010

**TITLE:** Church Hill Pass II, Lots 201-204

**FILE NUMBER:** M-2949, AP#6600 (plat) & 10329  
(modification)

**REQUEST:** Road adequacy  
A modification of Section 1-16-12(B)(1)(c)(1) of the Subdivision Regulations to determine road adequacy and direction of travel to the proposed subdivision.

**PROJECT INFORMATION:**

**LOCATION:** Located on the south side of Ward Kline Road, 800 feet west of East Church Hill Road (Tax Map 38, Parcel 5).  
**ZONE:** Agricultural (AG)  
**REGION:** Middletown  
**WATER/SEWER:** No Planned Service  
**COMP. PLAN/LAND USE:** Agricultural/Rural

**APPLICANT/REPRESENTATIVES:** (as applicable)

**APPLICANT/OWNER:** Robert Armstrong  
**ENGINEER:** JF Brown III & Assoc.

**STAFF:** Michael Wilkins, Development Review Environmental Principal Planner II

**RECOMMENDATION:** Conditional approval

**Enclosures:**

Exhibit # 1: Memo from surveyor  
Exhibit # 2: Roadway Adequacy Study

## **REPORT**

### **BACKGROUND:**

The proposed development is a subdivision of parcel 5 to create 3 new lots and a remainder lot. This application is before the Planning Commission to determine direction of travel and road adequacy for the proposed minor subdivision.

### **ANALYSIS:**

#### **Minor Subdivision Requirements**

##### *Road Width Requirements*

Section 1-16-12 (B)(1) of the subdivision regulations states: *"The proposed subdivision must have access to 1 or more paved collector or higher classification road(s) either directly, or via continuous and adequate public roads, in the direction(s) determined by the Planning Commission."*

Section 1-16-12(B)(1)(c)(1) of the subdivision regulation states: *"The width at all points along the access roads must allow for 2 vehicle passability and provide access for emergency response vehicles and school buses, such that 2 opposing vehicles can safely pass. A 16 foot travelway width shall be the normal minimum standard required for 2 vehicle passability. Travelways falling between 14 feet and 16 feet at any point may be reviewed by the Planning Commission on a case-by-case basis to determine whether 2 vehicles can pass safely and emergency vehicles and school buses have access. Travelways less than 14 feet at any point will not be considered adequate. The Planning Commission may use maps, the opinions of County Division of Public Works, planning staff, and site inspection to determine if the access routes to the proposed subdivision are adequate. Minor subdivision may occur on gravel, stabilized or paved surfaces. In cases where the applicant proposes to widen the travelway, construction methods and materials shall be specified by the Division of Public Works, and the applicant must obtain all easements needed."*

The proposed lots front on Ward Kline Road. Portions of Ward Kline Road do not meet the Frederick County travelway width requirement for servicing minor subdivisions.

The Applicant provided a Roadway Adequacy Study (Exhibit #2) to document the width of Ward Kline Road. Based on the information provided by the Applicant, the road is 16 feet to 19 feet wide from the site to Church Hill Road (approximately 800 feet to the east). To the west of the site, Ward Kline Road varies between 13 feet and 24 feet. The 13 foot wide section of travelway is approximately 50 feet in length and is the only section of the road that falls below the 14-16 foot threshold required for FcPc review.

Church Hill Road has a paved and striped travelway that is at least 16 feet wide. Church Hill Road provides direct access to Wolfsville Road (collector road) and MD Route 40 (arterial road).

#### **Emergency Services**

Staff from the Office of Life Safety indicated that the emergency services responding to this site will be as follows:

1st Responder: Myersville

2nd Responder: Wolfsville

Emergency equipment will arrive to the site from East Church Hill Road.

### Schools

The schools servicing the site are:

1. Myersville Elementary
2. Middletown Middle
3. Middletown High

### Direction of travel

The most logical direction of travel to and from the site appears to be from Church Hill Road. This is the most direct route for fire and emergency services traveling to this site, as well as the most direct route for the lot owners to reach Wolfsville Road or MD Route 40. The 800 foot long road section between the subdivision site and Church Hill Road meets the minimum 16 foot wide travelway requirement for minor subdivisions.

### **FINDINGS:**

Based upon the discussions in this report, Staff finds that Ward Kline Road does not meet the road adequacy requirements under the Frederick County Code section 1-16-12(B)(1)(c)(1), as portions of the roadway fall below the 16-foot requirement. Per Section 1-16-12(B)(1) the FcPc has the authority to determine the direction of travel and the adequacy of the road.

### **RECOMMENDATIONS:**

Staff recommends that the FcPc decide the direction of travel and if the travelway is adequate to serve the 3 new lots (and the remainder) in a minor subdivision.

Furthermore, if the FcPc determines the travel way is adequate, Staff recommends that the following items be added as conditions to the approval:

1. The Applicant shall comply with all Staff and agency comments through the completion of this project.
2. The Applicant shall add a note to the plat specifying that the FcPc determined that the Ward Kline Road from the site to Church Hill Road is adequate to serve this subdivision.

